

**Senate File 2102 - Introduced**

SENATE FILE 2102

BY GREEN

**A BILL FOR**

1 An Act relating to operation of an off-road utility vehicle by  
2 an unlicensed person at a designated off-highway vehicle  
3 riding area, and making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321I.2, subsection 1, Code 2022, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *Oj.* Establishment of a certified education  
4 course for the safe use and operation of off-road utility  
5 vehicles.

6 Sec. 2. Section 321I.25, subsections 1 and 4, Code 2022, are  
7 amended to read as follows:

8 1. The commission shall provide, by rules adopted pursuant  
9 to [section 321I.2](#), for the establishment of certified courses  
10 of instruction to be conducted throughout the state for the  
11 safe use and operation of all-terrain vehicles and for the  
12 safe handling and use of off-road utility vehicles. The  
13 curriculum shall include instruction in the lawful and safe  
14 use, operation, and equipping of all-terrain vehicles or  
15 off-road utility vehicles consistent with [this chapter](#) and  
16 rules adopted by the commission. The commission may establish  
17 a fee for the course ~~which~~ that shall not exceed the actual  
18 cost of instruction minus moneys received by the department  
19 from education certificate fees under [section 321I.26](#).

20 4. The commission shall provide education material relating  
21 to the operation of all-terrain vehicles or off-road utility  
22 vehicles for the use of nonpublic or public elementary and  
23 secondary schools in this state.

24 Sec. 3. Section 321I.26, subsections 1 and 5, Code 2022, are  
25 amended to read as follows:

26 1. a. A person twelve years of age or older but less than  
27 eighteen years of age shall not operate an all-terrain vehicle  
28 on public land, public ice, a designated riding trail, or  
29 land purchased with all-terrain vehicle registration funds  
30 in this state without obtaining a valid all-terrain vehicle  
31 education certificate approved by the department and having the  
32 certificate in the person's possession.

33 b. A person twelve years of age or older who does not  
34 possess a valid driver's license may operate an off-road  
35 utility vehicle at an off-highway vehicle riding area

1 designated by the commission by rule if the person possesses a  
2 valid off-road utility vehicle education certificate approved  
3 by the department.

4 5. A valid all-terrain vehicle or off-road utility vehicle  
5 safety or education certificate or license issued by a  
6 governmental authority of another state shall be considered a  
7 valid certificate or license in this state if the certification  
8 or licensing requirements of the governmental authority are  
9 substantially the same as the requirements of [this chapter](#) as  
10 determined by the commission.

11 Sec. 4. Section 805.8B, subsection 2A, Code 2022, is amended  
12 to read as follows:

13 2A. *All-terrain vehicle and off-road utility vehicle*  
14 *violations.*

15 a. For registration or user permit violations under section  
16 321I.3, subsection 1, the scheduled fine is seventy dollars.

17 b. (1) For operating violations under [sections 321I.12](#) and  
18 321I.14, subsection 1, paragraph "d", the scheduled fine is  
19 thirty dollars.

20 (2) For operating violations under section 321I.10,  
21 subsections 1 and 4, the scheduled fine is seventy dollars.

22 (3) For operating violations under section 321I.14,  
23 subsection 1, paragraphs "a", "e", "f", "g", and "h", and  
24 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine  
25 is one hundred thirty-five dollars.

26 c. For improper or defective equipment under section  
27 321I.13, the scheduled fine is thirty dollars.

28 d. For violations of [section 321I.20](#), the scheduled fine is  
29 thirty dollars.

30 e. For decal violations under [section 321I.6](#), the scheduled  
31 fine is thirty dollars.

32 f. For stop signal violations under [section 321I.18](#), the  
33 scheduled fine is one hundred thirty-five dollars.

34 g. For violations of [section 321I.21](#) and for education  
35 certificate violations under [section 321I.26, subsection 1](#), the

1 scheduled fine is seventy dollars.

2     *h.* For violations of [section 321I.22](#), the scheduled fine is  
3 one hundred thirty-five dollars.

4 EXPLANATION

5             The inclusion of this explanation does not constitute agreement with  
6             the explanation's substance by the members of the general assembly.

7     This bill relates to the operation of an off-road utility  
8 vehicle by an unlicensed person at a designated off-highway  
9 vehicle riding area.

10     The bill authorizes the natural resource commission (NRC) to  
11 adopt rules to establish a certified education course for the  
12 safe use and operation of off-road utility vehicles. The bill  
13 requires NRC to provide certified courses of instruction to be  
14 conducted throughout the state for the safe use and operation  
15 of off-road utility vehicles. NRC shall provide education  
16 material relating to the operation of off-road utility vehicles  
17 for the use of nonpublic or public elementary and secondary  
18 schools in the state.

19     The bill allows a person 12 years of age or older who  
20 does not possess a valid driver's license to operate an  
21 off-road utility vehicle at an off-highway vehicle riding area  
22 designated by NRC if the person possesses a valid off-road  
23 utility vehicle education certificate. A valid off-road  
24 utility vehicle safety or education certificate or license  
25 issued by a governmental authority of another state shall be  
26 considered a valid certificate or license in this state if the  
27 certification or licensing requirements of the governmental  
28 authority are substantially the same as the requirements of  
29 this chapter as determined by NRC.

30     An unlicensed person who operates an off-road utility  
31 vehicle without possessing an education certificate is subject  
32 to a scheduled fine of \$70.